

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CONNIE SHERAW,

Plaintiff,

v.

**OUTBACK STEAKHOUSE OF
FLORIDA, LLC**

Defendant

:
:
:
:
:
:
:
:
:

No. 2:18-cv-00930

ORDER

AND NOW, this ____ day of _____, 2020, upon consideration of Defendant's Motion for continuance and request to move the date of the Settlement Conference and any response thereto, it is hereby **ORDERED** that this Motion is GRANTED. The Settlement Conference shall now take place on _____, 2020.

BY THE COURT:

J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CONNIE SHERAW,	:	
	:	
	:	
Plaintiff,	:	No. 2:18-cv-00930
v.	:	
	:	
OUTBACK STEAKHOUSE OF FLORIDA, LLC	:	
	:	
	:	
Defendant	:	

**DEFENDANT, OUTBACK STEAKHOUSE OF FLORIDA, LLC MOTION FOR NEW
DATE/CONTINUANCE OF SETTLEMENT CONFERENCE**

SUBMITTED BY: Lee J. Janiczek, Esquire
 Lewis Brisbois Bisgaard & Smith, LLP

REPRESENTING: Outback Steakhouse of Florida, LLC

Defendant, Outback Steakhouse of Florida, LLC (hereinafter referred to as “Outback”), by and through their undersigned counsel, hereby respectfully submits this Motion for a Continuance/New Date for Settlement Conference:

- 1) The above-captioned matter is currently pending before the Honorable Mark R. Hornak.
- 2) This Honorable Court has issued a Scheduling Order for a Settlement Conference to occur on October 27, 2020.
- 3) The undersigned counsel who is trial counsel in this matter and who has handled discovery in this case throughout has two (2) previously scheduled matters on the date in which the settlement conference has been scheduled.
- 4) The first conflict involves a telephonic hearing at 10 AM before the Honorable Thomas F. Burke of the Luzerne County Court of Common Pleas (See Rule to Show Cause Order in the Noble case attached hereto as Exhibit “A”).

- 5) The second matter involves the deposition of the Plaintiff scheduled for 10 A.M. on that same date in a multi-party medical malpractice case (See Notice of Deposition in the Bastedo case as well as the withdrawal of appearance and my entry of appearance for one of the Defendants attached hereto as Exhibit B”).
- 6) Counsel for Plaintiff, Ryan Flaherty, Esquire does not oppose the re-scheduling of this matter.
- 7) We would respectfully propose the Settlement Conference be rescheduled for November 13th, When the Scheduling Order was issued, counsel for Outback contacted Plaintiff’s attorney and asked that the matter be continued which counsel for Plaintiff graciously agreed.
- 7) Counsel for the respective parties have agreed on the following possible dates for the Settlement Conference if this request is to be granted including November 13, 18, 19 and/or 20th if any of these dates works for this Honorable Court.
- 8) In the event any of the proposed dates does not work with this Honorable Court’s calendar, the parties would work together to find alternative proposed dates for consideration.
- 9) Accordingly, the undersigned respectfully requests this Honorable Court to grant this request and reschedule the Settlement Conference for one of the alternative proposed dates if the dates work for the Court’s schedule.

WHEREFORE, Outback Steakhouse of Florida, LLC respectfully requests this Honorable Court continue the settlement conference currently scheduled for October 27th to a new date in the future consistent with the Court’s calendar.

Respectfully submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Lee J. Janiczek

Lee J. Janiczek, Esquire
550 E. Swedesford Road, Suite 270
Wayne, PA 19087
(215) 977-4100

CERTIFICATE OF SERVICE

I, Lee J. Janiczek, Esquire, do hereby certify that a true and correct copy of the foregoing Motion to Continue and Move the date of the Scheduling Conference was filed and served via the Court's Electronic Filing System (ECF) on Plaintiff's counsel of record.

/s/ Lee J. Janiczek

Lee J. Janiczek

Date: October 19, 2020